

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-against-

CARRILLO HUETTEL LLP, LUIS J. CARRILLO,
WADE D. HUETTEL, GIBRALTAR GLOBAL
SECURITIES, WARREN DAVIS, JOHN B. KIRK,
BENJAMIN T. KIRK, DYLAN L. BOYLE, JAMES K.
HINTON JR., LUNIEL DE BEER, JOEL P. FRANKLIN,
PACIFIC BLUE ENERGY CORPORATION,
TRADESHOW MARKETING COMPANY LTD.,
and DR. LUIS CARRILLO,

Defendants.

-and-

DR. LUIS CARRILLO,

Relief Defendant.

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No. 13-CV-01735 (GBD)

DECLARATION OF
JONATHAN S. KONOVIATCH

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IN SUPPORT OF DEFENDANT CARRILLO'S MOTION TO DISMISS

I, Jonathan S. Konovitch, declare under penalties of perjury as follows:

1. I am associated with the law office of Peckar & Abramson, P.C., counsel to defendant, Luis J. Carrillo ("Carrillo"), and a member of the bar of this Court. I submit this declaration in support of Carrillo's motion to dismiss the complaint in the captioned action.

2. Annexed hereto as Exhibit A is a true and correct copy of the Complaint, which is dated March 15, 2013.

3. Annexed hereto as Exhibit B is a true and correct copy of an opinion letter dated November 23, 2009, which was issued by Carrillo Huettel LLP to Scottsdale Capital Advisors. *See*, Complaint ¶130.

4. Annexed hereto as Exhibit C is a true and correct copy of an opinion letter dated March 2, 2010, which was issued by Carrillo Huettel LLP to the Depository Trust Company. *See*, Complaint ¶131.

5. Annexed hereto as Exhibit D is a true and correct copy of an opinion letter dated April 21, 2010, which was issued by Carrillo Huettel LLP to Scottsdale Capital Advisors. *See*, Complaint ¶132.

6. Annexed hereto as Exhibit E is a true and correct copy of the United States Securities and Exchange Commission Notice of Effectiveness for Descanso Agency, Inc. dated September 17, 2007.

I declare under penalty of perjury that to the best of my knowledge, information and belief, the foregoing is true and correct.

Dated: July 22, 2013

PECKAR & ABRAMSON, P.C.

By: 

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